

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

IN RE:)
BRUCE L. McMULLEN and)
REBECCA J. McMULLEN)
Debtors.) CASE NO. 15-90429-BHL-13

MOTION FOR POST-CONFIRMATION MODIFICATION OF CHAPTER 13 PLAN

Come now Debtors, by and through counsel, N. Alan Miller III, and respectfully move the Court to modify the Plan post-confirmation, pursuant to 11 USC 1329. In support of this motion, Debtors state the following:

1. On March 20, 2015, Debtors filed a petition for relief under Chapter 13 of the Bankruptcy Code. The Chapter 13 Plan was confirmed on May 12, 2015.
2. Debtors wish to surrender their 2008 Dodge Ram, for which Huntington National Bank holds a secured claim. As such, it is necessary to modify the Plan as follows:
 - a. Debtors monthly payment shall be reduced to \$575.00, beginning with the December 2017 payment and for the remaining 27 months of the Chapter 13 Plan. This reduction represents a decrease in the amount of the current monthly payment of \$489.99 made to Huntington National Bank, and currently paid through the Chapter 13 Plan.
 - b. The base amount would be reduced to \$65,300.50.
 - c. Debtors propose for any remaining balance owed to Huntington National Bank following the sale of said vehicle to be treated as a General Unsecured Claim.
3. Other than as set out above, the Debtors' previously filed Chapter 13 Plan shall remain in full force and effect.
4. This modification is reasonable and feasible, represents the current best efforts of the Debtors, is in the best interests of the creditors, and otherwise complies with the requirements of 11 USC 1329.

WHEREFORE, Debtors pray that this motion be granted and for all other relief just and proper in the premises.

Respectfully submitted,
/s/ N. Alan Miller III
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/s/ Bruce L. McMullen
Bruce L. McMullen

/s/ Rebecca J. McMullen
Rebecca J. McMullen

NOTICE IS GIVEN that any objection must be filed with the Bankruptcy Clerk within **21 days** from date of service or such other time period as may be permitted by Fed.R. Bankr.P. 9006(f). Those not required or not permitted to file electronically must deliver any objection by U.S. mail, courier, overnight/express mail, or in person at:

United States Bankruptcy Court, Southern District of Indiana
New Albany Division
110 US Courthouse
121 W. Spring Street
New Albany, IN 47150

The objecting party must ensure delivery of the objection to the party filing the motion, and the trustee. **If an objection is NOT timely filed, the requested relief may be granted.**

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was delivered personally or by regular U.S. mail, postage prepaid on November 28, 2017, to:

Joseph M. Black, Jr.
Chapter 13 Trustee
P.O. Box 846
Seymour, IN 47274

U.S. Trustee
101 W. Ohio Street, Suite 1000
Indianapolis, IN 46204

/s/ N. Alan Miller III
N. Alan Miller III